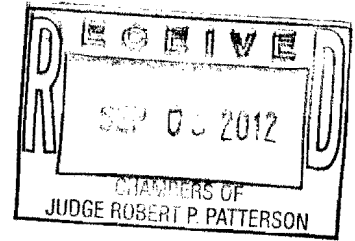


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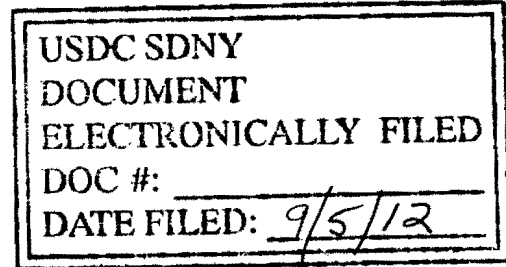


MEMO ENDORSED

September 5, 2012

VIA FACSIMILE TO (212) 805-7917

Honorable Robert P. Patterson
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312



Re: Levin v. Bank of New York, 09 Civ. 5900 (RPP) (MHD) (S.D.N.Y.)

Dear Judge Patterson:

This firm represents defendants JPMorgan Chase Bank, N.A. and The Bank of New York Mellon ("BNY Mellon") in the above-referenced proceeding. We are writing respectfully to request that the Court extend the time for these parties to file and serve answers to counterclaims pleaded against them by third-party defendants the Estate of Heiser, et al. (the "Heiser Judgment Creditors").

JPMorgan's and BNY Mellon's responses are presently due on September 10, 2012, and we are requesting an extension of time to respond until September 17, 2012. The additional time to respond would be greatly appreciated, as I am currently on vacation overseas and will need time to coordinate with my clients upon my return. DLA Piper (USA) LLP, which represents the Heiser Judgment Creditors, has consented to this request.

Respectfully submitted,

J. Kelley Nevling, Jr.

J. Kelley Nevling, Jr.

cc: All counsel of record (by e-mail)

*appreciate greatly
so much
J. Kelley Nevling, Jr.
9/5/12*